



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH**

**AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY GABBS MANHATTAN
AND AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

2100 E. Walt Williams Drive, Pahrump, NV 89048

September 19, 2023

10:00 a.m.

Subject to technical difficulties, people may participate by calling 1-888-585-9008 and entering conference room number 255-432-824. Technical difficulties may occur before or during the meeting preventing your ability to call in.

The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press *9 on their telephone keypads to notify Administration they wish to speak.

The meeting is also viewable at www.nyecountynv.gov. There is a 30 to 40 second delay between the in-person meeting and the meeting video.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on September 19, 2023 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Public Comment during the Commission Meeting on September 19, 2023 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougher Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](https://www.usda.gov/program-discrimination-complaint) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Administration at (775) 482-8192

WEBSITE: www.nyecountynv.gov

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (FIRST).**
- 3. Commissioners'/Manager's Comments. (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for September 19, 2023 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding the monthly statement of county treasurer pursuant to NRS 354.280 including receipts, balances in funds, money on deposit, outstanding checks, and cash on hand.**
- 7. 10:00 a.m. – [Presentation](#) by Nancy Guin with Tails of Nye County regarding program status, outcome results, a budget status report, and future goals pursuant to the Nye County ARPA Recovery Plan and Policy: Public Health Assistance- Mental Health Grant. (10-minute time limit)**
- 8. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject the International Association of Fire Fighters Local 4068 Agreement to include the reporting of the fiscal impact of the agreement. The new agreement will be effective upon ratification.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Continued Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-04: A Bill proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, titled Pahrump Regional Planning District, Article III, titled Zoning Districts; Establishment and General Provisions, Section 17.04.430, titled LI - Light Industrial, removing renewable energy generating facility as a permissive use; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.**

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10. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-10: A Bill proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, titled Pahrump Regional Planning District, Article VI, titled Development Standards, Section 17.04.785, titled Park Model Recreational Vehicle Parks, adding Tiny Homes to title; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.
11. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt or reject Nye County Bill No. 2023-11: A Bill to Ban Helicopter, Motorized Vehicles or Drone Roundups of Wild Horses and Burros Within the Boundaries of Nye County; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto.
12. **10:00 a.m. – [For Possible Action](#) – Continued Public Hearing**, discussion, and deliberation on ETSU-23-10: An application for a Special Use Permit to allow a Cannabis Establishment (Cultivation) located at 1261 E. Calvada Blvd., Pahrump, NV. Assessor’s Parcel Number 040-041-40. Nye Holdings, LLC – Property Owner. Strata Growth, LLC – Applicant. Adam R. Fulton, Esq. – Agent.
13. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ETSU-23-12: An application for a Special Use Permit to allow a Cannabis Establishment (Cultivation) located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor’s Parcel Number 044-851-30. Fortress Oakridge, LLC – Property Owner. 46 & 2 NV, LLC – Applicant. Prescott Jones, Esq. – Agent.
14. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-11: An application for a Conforming Zone Change of approximately 0.927 acres net (40,380 square feet net) (1.04 acres gross) from Neighborhood Commercial (NC) to Rural Estates (RE-1) located at 961 W. Irene Street, Pahrump, NV. Assessor’s Parcel Number 035-161-42. J L Investments, Inc. – Property Owner. Civilwise Services Inc. - Applicant/Agent.
15. **10:00 a.m. – [For Possible Action](#) – Public Hearing –**
 - 15.1. Discussion, and deliberation on ZCMP-23-16: An application for a Zone Change to change three (3) parcels totaling 0.46 acres net (20,081 square feet net) from Neighborhood Commercial (NC) to Village Residential (VR-8) located at 841, 861 and 871 E. Valiant Avenue, Pahrump, NV. Assessor’s Parcel Numbers 038-201-01, 02, and 03. Watson Family Trust – Property Owner. Nye County Planning Department - Applicant.
 - 15.2. Discussion, and deliberation on ZCMP-23-17: An application for a Minor Master Plan Amendment of approximately 0.46 acres net (20,081 square feet net) from Low Density Residential (LDR) to High Density Residential (HDR) located at 841, 861 and 871 E. Valiant Avenue, Pahrump, NV. Assessor’s Parcel Numbers 038-201-01, 02, and 03. Watson Family Trust – Property Owner. Nye County Planning Department – Applicant.
16. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-21: an application for a conforming Zone Change from Community Facilities (CF) to Calvada Commercial (CC) on two parcels located at 1595 E. Calvada Blvd., and 1683 E. Calvada Blvd., Pahrump, NV. Assessor's Parcel Numbers 042-051-38 and 042-051-37 - County of Nye, Property Owner/Applicant.

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SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

17. [For Possible Action](#) – Presentation, discussion and deliberation to: 1) Approve, amend and approve, or reject the request from CourseCo to continue managing the Lakeview Executive Golf Course for an additional five-year term; 2) Execute the agreement; and 3) Fund from 25521 Lakeview Golf Course Fund.
18. [For Possible Action](#) – Discussion, deliberation, and possible decision to: 1) Approve Nye County Public Works to fill out a Right of Way (ROW) application (Form SF-299) to designate offroad routes over public land within Bureau of Land Management’s Pahrump Field Office (PFO) boundaries as unmaintained County ROWs to connect Pahrump and Beatty. This is needed to protect community connectivity for people traveling in offroad vehicles; 2) Fund an amount not to exceed \$5,800.00 from 10205 Roads Fund; and 3) Accept a donation from Robert Adams in the amount of \$1,000.00 to help fund ROW designation costs.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

19. **CONSENT AGENDA ITEMS – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.**
 - 19.1. [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
 - 19.2. [For Possible Action](#) – Approval of meeting minutes from the joint meeting on June 27, 2023.
 - 19.3. [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2022 Agreement to use the Affordable Housing Trust Funds in the amount of \$15,000.00 from Nevada Housing Division for Affordable Housing Trust Funds Program to offer rental/utility/security deposit assistance to eligible clients at risk of being homeless. There is no County match required; 2) Execute the Agreement; and 3) Fund \$15,000.00 to 10340 Grants.
 - 19.4. [For Possible Action](#) – Approval to: 1) Accept the Department of Justice, Office of Justice Programs grant award in the amount of \$9,810.00 to provide funding for Nye County Sheriff’s Office State Criminal Alien Assistance Program. There is no match required; 2) Allow a one-time exception for the Comptroller or a designee to electronically accept the grant award; and 3) Fund \$9,810.00 to 10340 Grants.

CLERK

20. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Participating Addendum to Contract No. CTR058805 between DMT Solutions Global Corporation dba BlueCrest and Arizona Department of Administration, State Procurement Office for the utilization of their Master Agreement with NASPO ValuePoint for mailing equipment, supplies and maintenance; 2) Approve, amend and approve, or reject the Equipment, Maintenance, Software and Professional Services Order from DMT Solutions Global Corporation dba BlueCrest in the amount of \$445,238.00 for the purpose of purchasing the BlueCrest – Criterion Elevate Sorter, Selective Inline Opener with Chip Removal System and Privacy Tab Removal and Automated Signature Verification System; 3) Execute both agreements; and 4) Fund to 10340 Grants.

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SHERIFF

21. [For Possible Action](#) – Presentation, discussion and deliberation to: 1) Accept the State of Nevada Department of Public Safety, Office of Traffic Safety grant award in the amount of \$34,000.00 to provide funding for Nye County Sheriff's Office participation in traffic enforcement events. There is no match required; 2) Execute the agreement; 3) Allow a one-time exception for the Comptroller or designee to electronically accept the grant award; and 4) Fund \$34,000.00 to 10340 Grants.

COUNTY MANAGER

22. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2023-26: A Resolution Amending the Nye County Board of County Commissioners Rules of Procedure.
23. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Nye County 9-1-1 Advisory Committee due to expiring terms from the following list of applicants: Anastacia Wilkin, and Joseph Marshall.

FACILITIES

24. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. 2023-05 Provision and Setting of Portable Restrooms; 2) Award Bid No. 2023-05 Provision and Setting of Portable Restrooms to GDS Enterprises in the amount of \$144,000.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund to 25414 Pahrump Fairgrounds Room Tax; or 5) Reject bid and provide direction to staff on how to proceed with the project.

FINANCE

25. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the State of Nevada Department of Conservation and Natural Resources, Outdoor Recreation Infrastructure grant award in the amount of \$74,765.00 to provide for the revitalization of the Carvers Arena and Recreation Area. There is a local match of \$15,200.00 required; and 2) Fund \$74,765.00 to 10340 Grants.

PLANNING/BUILDING/CODE COMPLIANCE

26. [For Possible Action](#) – Discussion and deliberation to approve CBL-23-32: An application for an Adult Use Cannabis License (Cultivation) for Strata Growth, LLC, located at 1261 E. Calvada Blvd., Pahrump, NV. Assessor's Parcel Number 040-041-40. Nye Holdings, LLC – Property Owner. Strata Growth, LLC – Applicant. Adam R. Fulton, Esq. – Agent.
27. [For Possible Action](#) – Discussion and deliberation to approve CBL-23-33: An application for an Adult Use Cannabis License (Cultivation) for 46 & 2 NV, LLC, located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor's Parcel Number 044-851-30. Fortress Oakridge, LLC – Property Owner. 46 & 2 NV, LLC – Applicant. Prescott Jones, Esq. – Agent.

PUBLIC PETITIONER

28. [For Possible Action](#) – Discussion and deliberation to consider using county owned property located at 3141 N. Linda Street, Pahrump, NV, Assessor's Parcel Number 027-371-09 as a sanctuary to permanently house wild horses and burros adopted from the Bureau of Land Management.

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29. [For Possible Action](#) – Discussion and deliberation to consider deeding county owned property located at 5970 E. US Highway 95, Amargosa, NV, Assessor’s Parcel Number 021-451-01, also known as the Amargosa Science and Technology Park to the Town of Amargosa Valley.
30. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (SECOND).**
31. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
32. **ADJOURN**

Nye County Board of County Commissioners Meeting Participation Information:

- Call **1-888-585-9008** and enter conference room code **255-432-824**.
- Public comment periods will be opened by announcement.
- Commenters must press *9 if they wish to speak. You will hear “the organizer sees your raised hand” when the control has been properly engaged.
- When it is your turn to give comment, you will hear “you may now speak” and must identify yourself by saying and spelling your first and last name.

Notes:

- The meeting is viewable at http://nyecounty.granicus.com/ViewPublisher.php?view_id=4 there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at nyeadmin@co.nye.nv.us or by calling 775-482-8192